

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2016, Legislative Day No. 19

Resolution No. 125-16

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Councilmembers Quirk & Jones

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By the County Council, November 7, 2016

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A RESOLUTION of the Baltimore County Council asking the Maryland General Assembly to review the laws and practices relating to the provision of medical insurance coverage for medication and supplies required for the treatment of diabetes.

WHEREAS, nearly 29 million people in the United States have diabetes, and according to the Centers for Disease Control and Prevention, about 1.9 million people aged 20 years or older were newly diagnosed with diabetes in 2010 in the United States. The CDC data report released in 2008 confirmed that diabetes is the largest and fastest growing chronic disease in the nation; and

WHEREAS, most states have recognized the major effects diabetes has, both in its impact on patients and on society. As of 2016, 46 states and the District of Columbia have some law that requires health insurance policy coverage for diabetes treatment. Most states require coverage for both direct treatment and for diabetes equipment and supplies that are often used by the patient at home; and

WHEREAS, insurance coverage of prescription medications for diabetes, including insulin and supplies, such as test strips for glucose monitors, lancets and meters, is essential to medical treatment; and

WHEREAS, Maryland law requires that insurers, nonprofit health service plans, and HMOs provide coverage for all medically appropriate and necessary diabetes equipment, supplies, and outpatient self-management training and educational services, if certified by an insured's physician as necessary for the treatment of diabetes; and

WHEREAS, the coverage required by the State may be subject to annual deductibles or coinsurance requirements imposed by the insurer for similar coverages under the same health insurance policy or contract; and

WHEREAS, the type of equipment and supplies covered by insurers and the amount of deductible or co-pay required to be paid by the insured varies greatly; and

WHEREAS, the retail prices charged by pharmacies and other retailers varies greatly, causing tremendous disruption in the market place; and

WHEREAS, those diabetics who are uninsured or underinsured may find that the cost of supplies and equipment is prohibitive, forcing them to resort to a different market, one in which people who receive supplies, such as test strips, using Medicare, Medicaid or private insurance, are able to resell them to uninsured diabetics at a price that is lower than the retail price; and

WHEREAS, these market conditions and artificial practices are harmful to the hundreds of thousands of Maryland residents who suffer from diabetes; now, therefore, be it

RESOLVED, by the County Council of Baltimore County, Maryland, that the Senate Education, Health and Environmental Affairs Committee and the House Health and Government Operations Committee are requested to review the laws, regulations, and enforcement mechanisms applicable to insurance companies, drug companies, and retailers all of which participate in the provision of diabetes equipment, supplies, and training, in order to bring some certainty and fairness of treatment to all Maryland residents who suffer from diabetes; and be it further

RESOLVED, that the Maryland General Assembly is encouraged to consider a requirement that all insurance plans, including self-funded plans, provide coverage for test strips for glucose monitors as a preventative measure and with first dollar coverage.